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HOUSE BILL 691

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Rhonda S. King

AN ACT

RELATING TO PUBLIC SCHOOLS; CLARIFYING THE SCHOOL YEAR AND
LENGTH OF SCHOOL DAY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-2-8.1 NMSA 1978 (being Laws 1986,
Chapter 33, Section 2, as amended) is amended to read:

"22-2-8.1. SCHOOL YEAR--LENGTH OF SCHOOL DAY--MINIMUM.--

A. A school year consists of at least one hundred
eighty full instructional days for a regular school year
calendar, exclusive of any release time for in-service
training. A school year consists of at least one hundred
fifty-one full instructional days for a variable school year
calendar, exclusive of any release time for in-service
training. Except as provided in Subsection B of this section,
days or parts of days that are lost to weather, in-service

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1 training or other events that are not school-directed programs
2 shall be made up so that students are given a full
3 instructional school year.

4 [A.] B. Except as otherwise provided in this
5 section, regular students shall be in school-directed programs,
6 exclusive of lunch, for a minimum of the following:

7 (1) kindergarten, for half-day programs, two
8 and one-half hours per day [~~or four hundred fifty hours per~~
9 ~~year~~] or, for full-day programs, five and one-half hours per
10 day [~~or nine hundred ninety hours per year~~];

11 (2) grades one through six, five and one-half
12 hours per day [~~or nine hundred ninety hours per year~~]; and

13 (3) grades seven through twelve, six hours per
14 day. [~~or one thousand eighty hours per year~~

15 ~~B.]~~ C. Thirty-three hours of the full-day
16 kindergarten program may be used for home visits by the teacher
17 or for parent-teacher conferences. Twenty-two hours of grades
18 one through five programs may be used for home visits by the
19 teacher or for parent-teacher conferences.

20 [~~C.]~~ D. Nothing in this section precludes a local
21 school board from setting a school year or the length of school
22 days in excess of the minimum requirements established by
23 [~~Subsection]~~ Subsections A and B of this section.

24 [~~D.]~~ E. The [~~state superintendent]~~ secretary may
25 waive the minimum length of school days in those districts

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1 where such minimums would create undue hardships as defined by
2 the ~~[state board]~~ department as long as the school year is
3 adjusted to ensure that students in those school districts
4 receive the same total instructional time as other students in
5 the state."

6 Section 2. Section 22-8-9 NMSA 1978 (being Laws 1967,
7 Chapter 16, Section 63, as amended) is amended to read:

8 "22-8-9. BUDGETS--MINIMUM REQUIREMENTS.--

9 A. A budget for a school district shall not be
10 approved by the department that does not provide for:

11 (1) a school year ~~[consisting of at least one~~
12 ~~hundred eighty full instructional days or the equivalent~~
13 ~~thereof, exclusive of any release time for in-service training;~~
14 ~~or~~

15 ~~(2) a variable school year consisting of a~~
16 ~~minimum number of instructional hours established by the state~~
17 ~~board]~~ and school day as provided in Section 22-2-8.1 NMSA
18 1978; and

19 ~~[(3)]~~ (2) a pupil-teacher ratio or class or
20 teaching load as provided in Section 22-10A-20 NMSA 1978.

21 B. The ~~[state board]~~ department shall, by rule,
22 establish the requirements for an instructional day, the
23 standards for an instructional hour and the standards for a
24 full-time teacher and for the equivalent thereof."

25 Section 3. APPLICABILITY.--The provisions of this act
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apply to the 2009-2010 and subsequent school years.